

## TELEFAX COVER SHEET

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TO: Commissioner for Patents  
 FAX NO.: 703-872-9306  
 FROM: Kin-Wah Tong  
 DATE: March 25, 2005  
 MATTER: Serial No. 09/989,779 Filed: November 20, 2001  
 DOCKET NO.: ATT/2001-0067  
 APPLICANT: MILLER

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

Petition  
 Disclosure Statement & PTO-1449  
 Priority Document  
 Drawings (   sheets) informal  
 Response After Final  
 \_\_\_\_\_

Transmittal Form  
 Fee Transmittal  
 Deposit Account Transaction  
 Facsimile Transmission Certificate  
 dated March 25, 2005  
 Terminal Disclaimer  
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KIN-WAH TONG  
 Name of person signing this certificate

  
 Signature and date  
March 25, 2005

PTO/SB/21 (04-04)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number

09/989,779

Filing Date

November 20, 2001

First Named Inventor

Robert Raymond Miller II

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Art Unit

2686

Examiner Name

Bryan J. Fox

MAR 25 2005

Attorney Docket Number

ATT/2001-0067

**ENCLOSURES (check all that apply)** Fee Transmittal Form Drawing(s) After Allowance Communication to Technology Center (TC) Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Amendment / Reply Petition Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) After Final Petition to Convert to a Provisional Application Proprietary Information Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Status Letter Extension of Time Request Terminal Disclaimer Other Enclosure(s)  
(please identify below):

Facsimile transmission sheet

 Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) \_\_\_\_\_ Certified Copy of Priority Document(s)**Remarks** Response to Missing Parts/ Incomplete Application

It is believed no fee is due. In the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.

 Response to Missing Parts under 37 CFR 1.52 or 1.53**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

KIN-WAH TONG, Reg. No. 39,400

Signature

Date

March 25, 2005

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Kin-Wah Tong

Signature

Date

March 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (04-04)

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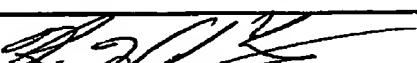
Total Number of Pages in This Submission

Application Number	09/989,779
Filing Date	November 20, 2001
First Named Inventor	Robert Raymond Miller II
Art Unit	2686
Examiner Name	Bryan J. Fox
Attorney Docket Number	ATT/2001-0067

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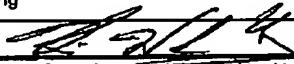
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Facsimile transmission sheet</b>
Remarks		
It is believed no fee is due. In the event a fee is due, kindly charge that fee to deposit account number 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	KIN-WAH TONG, Reg. No. 39,400
Signature	
Date	March 25, 2005

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Typed or printed name	Kin-Wah Tong
Signature	
Date	March 25, 2005

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PATENT

Atty. Dkt. No. ATT/2001-0067

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
 Robert Raymond Miller II  
 Serial No.: 09/989,779  
 Confirmation No.: 2039  
 Filed: November 20, 2001  
 For: PROTOCOL ASSISTED  
 SWITCHED DIVERSITY  
 OF ANTENNAS

MAIL STOP AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

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MAR 25 2005

§ Group Art Unit: 2686

§ Examiner: Bryan J Fox

## CERTIFICATE OF TRANSMISSION

37 CFR 1.8

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3/25/05

H. J. Fox

Date

Signature

## RESPONSE TO FINAL OFFICE ACTION DATED JANUARY 25, 2005

In response to the Office Action dated January 25, 2005, having a shortened statutory period for response set to expire on April 25, 2005, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ATT/2001-0067, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.